

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

Mark R. Hughes, M.D.  
In Propria Persona  
1380 East Jefferson Avenue  
Detroit, MI 48207  
(313) 250-6900  
In Propria Persona for Defendants  
GENESIS GENETICS INS-  
TITUTE and MARK R. HUGHES,  
MD

STEPHEN N. LEUCHTMAN, P.C.  
Stephen N. Leuchtman  
23855 Northwestern Highway  
Southfield, MI 48075  
(248) 948-9696, Ext. 143  
Attorneys for Defendants GENESIS  
GENETICS INSTITUTE, LLC  
and MARK R. HUGHES, MD

CHAYA GROSSBAUM and  
MENACHEM GROSSBAUM, her  
spouse, individually and as guardians  
*ad litem* of the infant ROSIE  
GROSSBAUM,

Plaintiffs,

vs.

GENESIS GENETICS INSTITUTE,  
LLC, of the State of Michigan,  
MARK R. HUGHES, NEW YORK  
UNIVERSITY SCHOOL OF MEDICINE  
and NEW YORK UNIVERSITY  
HOSPITALS CENTER, both  
corporations in the State of New York,  
ABC CORPS. 1-10, and JOHN DOES  
1-10,

Defendants.

DOCKET NO. 07-CV-1359 (HAA)

CIVIL ACTION

ANSWER ON BEHALF OF  
DEFENDANTS GENESIS GENETICS  
INSTITUTE, LLC and HUGHES, only

2007 SEP 20 P 12:34

RECEIVED  
U.S. DISTRICT COURT

Defendants, GENESIS GENETICS INSTITUTE, LLC and MARK R. HUGHES,  
M.D., answer Plaintiffs' Complaint as follows:

JURISDICTION

1. Neither admitted nor denied for lack of information and belief.
2. No answer required from these Defendants.
3. Admitted.
4. Neither admitted nor denied for lack of information and belief.

COUNT ONE

1. These Defendants hereby repeat their responses to the Jurisdictional paragraphs of Plaintiffs' Complaint as if set forth in full herein.

2. No answer required from these Defendants.
3. No answer required from these Defendants.
4. No answer required from these Defendants.
5. Denied in the form and manner alleged.
6. Admitted in so far as the allegation pertains to these Defendants.
7. Denied in the form and manner alleged.
8. Neither admitted nor denied for lack of information and belief.
9. No answer required from these Defendants.
10. No answer required from these Defendants.
11. No answer required from these Defendants.
12. No answer required from these Defendants.

No prayer for relief required from these Defendants.

COUNT TWO

1. These Defendants hereby repeat their responses to the Jurisdictional and Count One paragraphs of Plaintiffs' Complaint as if set forth in full herein.

2. Admitted.

3. Denied.
4. Denied.
5. Denied.
6. Denied.
7. Denied.

WHEREFORE, these Defendants pray for Judgment in their favor, together with costs and attorney fees.

COUNT THREE

1. These Defendants hereby repeat their responses to the Jurisdictional and Counts One and Two paragraphs of Plaintiffs' Complaint as if set forth in full herein.

2. No answer required from these Defendants.
3. No answer required from these Defendants.

WHEREFORE, these Defendants pray for Judgment in their favor, together with costs and attorney fees.

COUNT FOUR

1. These Defendants hereby repeat their responses to the Jurisdictional and Counts One through Three paragraphs of Plaintiffs' Complaint as if set forth in full herein.

2. No answer required from these Defendants.
3. No answer required from these Defendants.

WHEREFORE, these Defendants pray for Judgment in their favor, together with costs and attorney fees.

FIRST SEPARATE DEFENSE

Recovery is barred for some of the claims set forth in this action by reason of the expiration of the applicable Statute of Limitations.

SECOND SEPARATE DEFENSE

The injuries or damages sustained by plaintiffs were the result of conditions or actions of third persons over whom these defendants exercised no supervision or control.

CROSSCLAIM FOR CONTRIBUTION

These defendants demand contribution from all co-defendants named in the Complaint under the Joint Tortfeasors Contribution Act, as more fully set forth at N.J.S.A. 25A:53-1 et seq.

ANSWER TO CROSSCLAIMS

These defendants deny the allegations of any and all crossclaims filed or which may be filed against these defendants.

JURY DEMAND

These Defendants hereby demand a trial by jury as to all issues in this case.

PROVISIONAL DESIGNATION OF TRIAL COUNSEL

Please be advised that Stephen N. Leuchtman, Esq. is hereby provisionally designated as trial counsel on behalf of defendants Hughes and Genesis Genetics Institute, LLC pending and contingent upon his appointment as counsel pro hac vice.

REQUEST FOR ALLOCATION PURSUANT TO RULE 4:7-5 (c)

If any co-defendant settles prior to trial, these defendants will seek an allocation

of the percentage of negligence by the fact finder against the settling defendant or defendants. We will seek this allocation whether or not we have formally filed a cross-claim against the settling defendant or defendants. We will rely upon examination and cross-examination of the plaintiffs' expert witnesses and any and all other witnesses at the time of trial, in support of this allocation . You are being apprised of this pursuant to

N.J. Court Rule 4:7-5(c) and Young v. Latta, 123 N.J. 584 (1991).

DEMAND FOR AFFIDAVIT OF MERIT

Please defendants hereby demand that the plaintiffs serve an Affidavit of Merit pursuant to N.J.S.A. 2A: 53a-27.

MARK R. HUGHES, M.D.

STEPHEN N. LEUCHTMAN, P.C

By: Mark R. Hughes  
Mark R. Hughes  
1380 East Jefferson Avenue  
Detroit, MI 48207  
In Propria Persona for  
MARK R. HUGHES, M.D. and  
GENESIS GENETICS INSTITUTE,  
LLC.

By: Stephen N. Leuchtmann  
Stephen N. Leuchtmann  
23855 Northwestern Highway  
Southfield, MI 48207  
Attorney for MARK R. HUGHES, M.D.  
and GENESIS GENETICS INSTITUTE,  
LLC.

Dated: September 17, 2007

PROOF OF SERVICE

THE UNDERSIGNED STATES, UNDER PENALTY OF PERJURY, THAT ON SEPTEMBER 17, 2007, HE PLACED COPIES OF THE WITHIN DOCUMENT IN ENVELOPES ADDRESSED TO THE COURT AND OTHER COUNSEL IN THIS CAUSE AND CAUSED THE ENVELOPES TO BE PLACED IN THE APPROPRIATE RECEPTACLE OF THE UNITED STATES POSTAL SERVICE, WITH FIRST CLASS POSTAGE THEREON.

Stephen N. Leuchtmann  
STEPHEN N. LEUCHTMAN